

**Worksheet
Interim
Documentation of Land Use Plan Conformance and NEPA Adequacy
(DNA)**

U.S. Department of the Interior Bureau of Land Management

Note: This Worksheet is to be completed consistent with the policies stated in the Instruction Memorandum entitled, "Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy" transmitting this Worksheet and the "Guidelines for using the DNA Worksheet," located at the end of the Worksheet.

A. Describe the Proposed Action

The proposed action is to issue a 10 year grazing lease to the Wayne Cunningham estate for the 840 acre (BLM) Cunningham allotment (0814) in accordance with 43 CFR 4110.1, 4110.2-1(d) and (e), 4130.2, and 4130.3. The Cunningham allotment is located a few miles NE of Klamath Falls, OR. on Hogback Mountain, where almost all of the BLM administered land are on steep slopes which would be little used by cattle (see attached map). The primary use areas are on the private lands which comprise at least as much acreage as the BLM administered lands.

The previous grazing lease (previous lessee: Wayne Cunningham when alive) expired on 2/28/92 and no licensed use has been requested, authorized, or made since 1989. The recognized base property for this grazing lease is part of an estate now administered by two of Mr. Cunningham's offspring - Angela Lyon (daughter) and Eugene Cunningham, with Eugene C. being the "authorized representative" to deal with the BLM on behalf of the estate. The term of the renewed lease is 3/1/2000 through 2/28/2010; 10 years as required by 43 CFR 4130.2(d) of the current grazing regulations.

The parameters of this grazing lease will be 5/1 - 6/15 with a maximum of 71 cattle (108 active AUMs). The previous (and expired) grazing lease had different grazing use parameters, in that the season-of-use was 4/26 through 7/15 for 40 cattle (108 AUMs). However, the new grazing lease has the parameters as outlined and approved in the 1995 Klamath Falls R.A. ROD/RMP/RPS (see below). Since this is technically a "new" grazing lease and not a "renewed" lease, it is appropriate to issue it with the 1995 land use plan parameters.

B. Land Use Plan (LUP) Conformance

LUP Name*: *Klamath Falls R.A. Resource Management Plan and Environmental Impact Statement (KFRA RMP/EIS dated September 1994)*
Date Approved: *June 1995 via the Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (KFRA ROD/RMP/RPS)*

* List applicable LUPs (e.g., Resource Management Plans and activity, project, management, or program plans, or applicable amendments thereto)

☐ The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

The KFRA ROD/RMP/RPS lists the grazing parameters for the Cunningham allotment on page H-20 of Appendix H. Those parameters are the same as the proposed action and thus, the grazing lease is in conformance with the primary land use plan for the Klamath Falls Resource Area.

In addition the ROD/RMP/RPS states on page 62 to “Provide for livestock grazing in an environmentally sensitive manner, consistent with other objectives and land use allocations. Resolve resource conflicts and concerns and **ensure that livestock grazing use is consistent with the objectives and direction found in Appendix H (Grazing Management)**”. (emphasis added) Also later on that same page is the following: “Provide for initial levels of livestock grazing within the parameters outlined, by allotment, in Appendix H.”

☐ The proposed action is in conformance with the LUP, even though it is not specifically provided for (in the below referenced sections), because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

NA - the action is specifically provided for in the LUP.

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action:

Klamath Falls R.A. Resource Management Plan and Environmental Impact Statement (KFRA RMP/EIS dated September 1994) approved via the June 1995 *Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary* (KFRA ROD/RMP/RPS). This is the overall plan for the Klamath Falls Resource Area.

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

None additional.

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?

Documentation of answer and explanation:

The proposed action is consistent with and the same as the grazing management identified in the RMP/EIS Preferred Alternative (called the “Proposed Resource Management Plan” or PRMP; specifics by allotment found in Appendix L- with the Cunningham allotment on L-20) and affirmed and implemented by the ROD/RMP/RPS (allotment specific information found in Appendix H - page H-20). Environmental impacts of grazing, for all alternatives, is found in Chapter 4 - “Environmental Consequences” (4-1 through 4-143) - of the RMP/EIS.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?

Documentation of answer and explanation:

The proposed action lies within the range of various alternatives identified and analyzed in the RMP/EIS (summarized in table S-1 “Comparisons of Allocations and Management by Alternative”, pages 18-50; and S-2 “Summary of Environmental Consequences by Alternative”, pages 52-53). This array and range of alternatives included the No Action alternative (status quo), five other alternatives (A through E) that covered a span of management from a strong emphasis on commodities production to a strong emphasis on resource protection/preservation, and the PRMP that emphasizes a balanced approach of producing an array of socially valuable products within the concept of ecosystem management. Since this plan is relatively recent, it more than adequately reflects “current environmental concerns, interests, and resource values”.

3. Is the existing analysis valid in light of any new information or circumstances?

Documentation of answer and explanation:

A review was conducted to determine if any new information, studies, and analyses would materially differ from the data in the earlier analysis for these allotments during the RMP/EIS process. Included in these categories, and completed or extended since the date of the ROD/RMP/RPS, are the following:

However, the following information is pertinent to the full addressing of this NEPA adequacy “question”:

- Ongoing analyses in the Interior Columbia Basin Ecosystem Management Plan (ICBEMP) has not indicated any new significant information that would modify the management direction in this allotment.
- Rangeland monitoring studies (or other resource studies) have not been performed on the Cunningham allotment since it is a low priority “C” category allotment, is small in size, has not been authorized for grazing use in 11 years, and there have been no indications that the allotment has any resource related problems that need monitoring

(see #5, second paragraph for information about the one LUP objective for this allotment).

- In accordance with 43 CFR 4180, the Klamath Falls Resource Area is in the process of implementing the Standards for Rangeland Health and Guidelines for Grazing Management (S&G's), as developed by the Klamath PAC/RAC. A "Rangeland Health Standards Assessment" is scheduled for completion on this allotment during FY 2008. This assessment will ascertain whether we are meeting, not meeting, or making significant progress towards meeting, all 5 of the Standards for Rangeland Health. Rangeland (or other) monitoring may be performed on this allotment in the future if additional information is deemed necessary to adequately assess the area.

To summarize, the existing analysis in the LUP is still considered valid at this time, including the described/analyzed livestock grazing impacts.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Documentation of answer and explanation:

The RMP/EIS and subsequent ROD/RMP/RPS designated domestic livestock grazing as a principle or major use for this allotment under the principle of multiple use on a sustained yield basis in accordance with FLPMA. The development of the Proposed Resource Management Plan in the RMP/EIS, as adjusted or affirmed by the ROD/RMP/RPS, meets NEPA standards for impact analysis. The methodology and analyses employed in the RMP/EIS are still considered valid as this planning effort is relatively recent (June 1995) and considered up to date procedurally. In addition, all the rangeland monitoring, studies, and survey methods utilized in the general area prior to and during the planning process continue to be accepted (or required) BLM methods and procedures.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?

Documentation of answer and explanation:

The proposed action is entirely consistent and as listed in the RMP/EIS, as affirmed or adjusted by the ROD/RMP/RPS. The impacts of livestock grazing were analyzed in most of the major sections of Chapter 4 - Environmental Consequences (pages 4-1 through 4-143) in the RMP/EIS. No new information has come to light since completion of the plan that would indicate that the previously analyzed direct/indirect impacts would be substantially different.

The details of the proposed action were also covered specifically in Appendix H - Grazing Management and Rangeland Program Summary (Cunningham Allotment - page H-20) of the ROD/RMP/RPS. In that section, the following "Identified Resources

Conflicts/Concerns” was listed: “Active erosion occurs in the allotment.” The accompanying “Management Objective” was: “Maintain or improve erosion condition to moderate or better condition.” The specific rationales supporting this objective are unknown except it was noted during the allotment categorization process (“MIC”) in 1982 that the “Watershed is beginning to deteriorate. A grazing system is stipulated to facilitate grazing management and to stabilize the watershed.” As the allotment has not been licensed for livestock for many years, it is assumed that conditions have not worsened. As noted earlier, virtually all of the BLM administered lands in this allotment are on the steep slopes and ridge tops surrounding the more moderately inclined private lands. Thus, the majority of the grazing use would take place on the intermingled private “bottom” lands. The purpose of the BLM grazing lease to make legal the occasional drift and use made by the cattle from those private lands.

6. Are the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?

Documentation of answer and explanation:

The proposed action as analyzed in the PRMP of the RMP/EIS, as affirmed or adjusted by the ROD/RMP/RPS, would not change analysis of cumulative impacts. Any adverse cumulative impacts are the same as and within the parameters of those identified and accepted in that earlier planning effort for the Cunningham Allotment grazing use, since the proposed action was specifically analyzed in the RMP/EIS. In addition, ongoing analyses in the Interior Columbia Basin Ecosystem Management Plan (ICBEMP) has not indicated any cumulative impacts beyond those anticipated in the earlier analyses. (In addition, the ICBEMP, due to its regional approach, does not have the specificity of the RMP.)

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Documentation of answer and explanation:

The KFRA RMP/EIS and ROD/RMP/RPS were distributed to all interested publics and other government agencies for review. Since this proposed lease issuance is precisely as listed in the LUP and that plan went through all of the appropriate and legally required public/agency review, public involvement is considered at least adequate.

All of those publics/agencies have also been kept informed of plan implementation through periodic planning update reports (i.e. May 1995, October 1997, February 1999, with another pending in early 2000). These planning updates or Annual Program Summaries, as they are now called, include information on range program and project accomplishments, updates to the RPS, monitoring reports, planned activities for the upcoming year, allotment evaluation and Standards and Guidelines assessments scheduling, and other information necessary to allow for adequate public involvement opportunities.

No specific public involvement, or "interested public" status (under the grazing regulations at 43 CFR 4100.0-5), has ever been requested for the Cunningham allotment.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the NEPA analysis and preparation of this worksheet.

Name Title

Bill Lindsey Rangeland Management Specialist/author
(See attached NEPA cover sheet for reviewers/participants.)

Conclusion

☐ Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA

Note: If you found that one or more of these criteria is not met, you will not be able to check this box.

/s./ Teresa A. Raml
Manager, Klamath Falls Resource Area

2/10/2000
Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

Guidelines for Using the DNA Worksheet and Evaluating the NEPA Adequacy Criteria

These guidelines supplement the policies contained in the Instruction Memorandum entitled "Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy". During preparation of this worksheet, if you determine that one or more of the criteria are not met, you do not need to complete the Worksheet. If one or more of these criteria is not met, you may reject the proposal, or complete appropriate NEPA compliance (EA, EIS, Supplemental EIS, or CX if applicable) and plan amendments before proceeding with the proposed action. Documenting why the criterion (criteria) has (have) not been met may be beneficial in preparing new or supplemental NEPA documents, however.

Criterion 1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action at a site specifically analyzed in an existing NEPA document? In the limited situations in which an existing NEPA document(s) can properly be relied upon without supplementation, explain whether and how the existing documents analyzed the proposed action (include page numbers). If there are differences between the actions included in existing documents and the proposed action, explain why they are not considered to be substantial.

Criterion 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests and resource values? Explain whether the alternatives to the current proposed action that were analyzed in the existing NEPA documents and associated record constitute a reasonable range of alternatives with respect to the current proposed action, and if so, how. Identify how current issues and concerns were addressed within the range of alternatives in existing NEPA documents. If new alternatives are being proposed by the public to address current issues and concerns, and you conclude they do not need to be analyzed, explain why.

Criterion 3. Is the existing analysis valid in light of any new information or circumstances?

New information or circumstances could include the following. If any of the listed items below are applicable, you need to determine whether it (they) constitute(s) new information or circumstances.

- a. New standards or goals for managing resources. Standards and goals include, but are not limited to: BLM's land health standards and guidelines, recovery plans for listed species prepared by the Fish and Wildlife Service or National Marine Fisheries Service, requirements contained in a biological opinion or conference report related to Section 7 of the Endangered Species Act, and the requirement to address disproportionate impacts on minority populations and low income communities (E.O. 12898).
- b. Changes in resource conditions within the affected area the existing NEPA analyses were conducted, e.g., changes in habitat condition and trend; listed, proposed, candidate, and Bureau designated sensitive species; water quality, including any identified impaired water bodies under Section 303 of the Clean Water Act; air quality; vegetation condition and trend; soil stability; visual quality; cultural resource condition; and wildlife population trend(s); etc.
- c. Changes of resource-related plans, policies, or programs of State and local governments, Indian tribes, or other federal agencies.
- d. Designations established in the affected area since the existing NEPA analysis and documentation was prepared. Designations include, but are not limited to wilderness, wilderness study areas, National Natural Landmarks, National Conservation Areas, National Monuments, National Register properties, Areas of Critical Environmental Concern, and Research Natural Areas.

Criterion 4. Do the methodology and analytical approach used in the existing NEPA document continue to be appropriate for the proposed action? Explain how the methodologies and analytical approach used in the existing NEPA document are current and sufficient for supporting approval of the proposed action. If valid new technologies and methodologies (e.g. air quality modeling) exist, explain why it continues to be reasonable to rely on the method previously used.

Criterion 5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action? Review the impact analysis in the existing NEPA document(s). Explain how the direct and indirect impacts of the proposed action are analyzed in the existing NEPA documents, and would, or would not, differ from those identified in the existing NEPA document. Consider the effect new information or circumstances may have on the environmental impacts predicted in the existing NEPA document. _

Criterion 6. Are the cumulative impacts that would result from implementation of the proposed action substantially unchanged from those identified in the existing NEPA document(s)? Would the current proposed action, if implemented, change the cumulative impact analysis? Consider the impacts analysis in existing NEPA documents, the effects of relevant activities that have been implemented since existing NEPA documents were completed and the effects of the current proposed action.

Criterion 7. Is the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action? Explain how the nature of public involvement in previous NEPA documents continues to be adequate and valid in light of current issues, concerns, views, and controversies.